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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 98-120

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

2. Form, Style and Placement in Administrative Code

The notation “s.” should be inserted in the references to s. VA 1.17 (1) and s. VA 1.03. [See s. 1.07 (2), Manual.]

4. Adequacy of References to Related Statutes, Rules and Forms

a. The analysis states that the rule relates to the cancellation of indebtedness under, among other programs, the “personal loan program.” However, the rule does not contain a citation to the statutory section governing the “personal loan program.” Should such a citation be added?

b. The analysis and s. VA 1.19 (1) (intro) contain citations to “45.356 and 45.80, 1981 Stats.” These citations are incorrect; s. 45.356 does not appear in the 1981 statutes. Also, “Stats.” should follow “1995” in the analysis.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. VA 1.19 (1) (intro), the phrase “upon application of the following criteria:” should be replaced with “if any of the following apply:”. Also, “loans” should be replaced with “a loan.”

b. Should the rule require the department to provide notice to obligated parties of actions under s. VA 1.19, including notice that the department intends to reinstate indebtedness

and collection activity and information regarding the right to appeal that decision under s. VA 1.03?